

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 05-10202-RWZ
)	
SHELTON TERRY)	

JOINT SUBMISSION OF THE PARTIES UNDER LOCAL RULE 116.5(C)

Pursuant to Local Rule 116.5(C), the parties state as follows:

i. Outstanding Discovery Issues

The government has requested additional testing of quantities of cocaine base be performed by the Department of Public Health Laboratory. The government will provide drug certificates of analysis upon receipt of them. The testing is expected to be completed within three to four weeks.

ii. Anticipated Additional Discovery

The parties are not aware of any discovery required to be produced pursuant to the Local Rules that has not already been produced or addressed by counsel, other than referenced above. Should the parties become aware in the future of any additional discovery that needs to be disclosed, such discovery will be provided in accordance with the Local Rules.

iii. Defense of Insanity or Public Authority

The defendant has not indicated an intent to assert a defense of insanity or public authority.

iv. Notice of Alibi

The defendant has not indicated an intent to assert an alibi defense.

v. Dispositive Motions

The defendant will file a motion to suppress and will seek a filing date for such a motion from the District Court before trial.

vi. Scheduling

The parties are not aware of any issue requiring scheduling but request some additional time to complete the outstanding discovery referenced above. The parties request a Final Status Conference date in late January, 2006 in order to complete discovery and to permit the defendant to prepare and file a motion to suppress evidence.

vii. Plea Negotiations

The parties do not expect that the matter will be resolved by a plea.

viii. Excludable Delay

The parties request that the period between this date and any additional conference be excluded from the Speedy Trial Clock, in the interests of justice.

vix. Whether Trial is Anticipated; Length of Trial

If there is a trial in this matter, it will last approximately one week.

Respectfully submitted,

SHELTON TERRY
By his attorney,

MICHAEL J. SULLIVAN
United States Attorney

s/ George F. Gormley
George F. Gormley, Esq.

By:

S/ Glenn A. MacKinlay
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Date: November 29, 2005